

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bruce A. Littlefield et al.	Confirmation No.:	5226
Serial No.:	10/687,526	Art Unit:	1625
Filed:	October 16, 2003	Examiner:	Raymond Covington
		Customer No.:	21559
Title:	Methods and Compositions for Use in Treating Cancer		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 1.321 and 3.73(b)

Pursuant to 37 C.F.R. § 1.321(b), Eisai R&D Management Co., Ltd., the assignee of the entire right, title, and interest in the above-captioned application, seeks to disclaim the terminal portion of the term of the patent to be granted on the application. This terminal disclaimer is binding on the grantee and its successors or assigns.

Pursuant to 37 C.F.R. § 1.321(b)(1), this terminal disclaimer is signed by an attorney of record (see the enclosed power of attorney document).

Pursuant to 37 C.F.R. § 1.321(b)(2), Eisai R&D Management Co., Ltd. hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the application subsequent to the expiration date of U.S. Patent No. 6,214,865. Eisai R&D Management Co., Ltd. does not disclaim any terminal part of any patent granted on the application prior to the expiration date of the full statutory term of U.S. Patent No. 6,214,865 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found

invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

Pursuant to 37 C.F.R. § 1.321(b)(3) and § 3.73(b), the undersigned attorney/agent of record certifies that Eisai R&D Management Co., Ltd., a corporation, is the assignee of the entire right, title, and interest in the application by virtue of a chain of title from the inventors of the application to the current assignee as follows: from the inventors to Eisai Co., Ltd. (recorded at Reel/Frame 014434/0795 on March 16, 2004), and from Eisai Co., Ltd. to Eisai R&D Management Co., Ltd. A copy of each assignment is enclosed.

The undersigned attorney/agent of record has reviewed all the documents in the chain of title of the application and to the best of the undersigned's knowledge and belief, title is in Eisai R&D Management Co., Ltd.

Pursuant to 37 C.F.R. § 1.321(b)(4), applicants authorize an amount of \$130.00 to be charged to Deposit Account No. 03-2095 for the fee set forth in 37 C.F.R. § 1.20(d).

Further, pursuant to 37 C.F.R. § 1.321(c)(3), this terminal disclaimer is being filed to overcome a double patenting rejection in the application. Any patent granted on the application or any resulting patent subject to reexamination proceedings shall be enforceable only for and during such period that the patent is commonly owned with the application or patent that formed the basis for the rejection.

If there are any additional charges or any credits, please apply them to Deposit Account
Number 03-2095.

Respectfully submitted,

Date: October 24, 2007

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